

**PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

LCB File No. R135-15

January 8, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 703.025 and 704.210.

A REGULATION relating to public utilities; revising provisions governing the use of a letter of advice in lieu of an application by a public utility seeking approval for a change in a schedule of rates or services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law generally requires a public utility to submit an application and obtain the approval of the Public Utilities Commission of Nevada for a change in any schedule of rates or services. (NRS 704.110) However, existing law: (1) provides that a public utility may submit a letter of advice in lieu of filing an application with the Commission if, among other conditions, the proposed change does not change any rate or will result in an increase in annual gross operating revenue in an amount that does not exceed \$15,000; and (2) requires a public utility to include with a letter of advice a certification or affidavit that the proposed change meets those requirements. (NRS 704.100, as amended by section 1 of Assembly Bill No. 75, chapter 67, Statutes of Nevada 2015, at page 280) Before the passage of A.B. 75, a public utility could submit a letter of advice in lieu of an application only if the amount of the projected increase in annual gross operating revenue would not exceed \$2,500 and a certification or affidavit was not required to be included with the letter of advice.

This regulation revises existing provisions governing the use of letters of advice to conform to the changes made by A.B. 75.

Section 1. NAC 703.400 is hereby amended to read as follows:

703.400 1. A tariff sheet covering a service or commodity not previously furnished, a tariff sheet modifying an existing service and a tariff sheet that does not alter any rate or charge may be filed by a letter of advice as described in NAC 703.390.

2. An application to increase rates must be made in accordance with the provisions established for pleadings and motions and the requirements for public utilities requesting rate

adjustments unless the rate increases generate annual gross revenues ~~as certified by the applicant,~~ of ~~(\$2,500)~~ **\$15,000** or less.

3. If the proposed increases involve ~~(\$2,500)~~ **\$15,000** or less, the Commission may accept the filing of a letter of advice, if justification is fully set forth in that letter, *including, without limitation, the certification or affidavit required pursuant to NRS 704.100, as amended by section 1 of Assembly Bill No. 75, chapter 67, Statutes of Nevada 2015, at page 280*, without an application made pursuant to NAC 703.2201 to 703.2481, inclusive.

4. A change to a tariff that is filed by letter of advice does not become effective until approved by the Commission.

5. A copy of the utility's tariff sheet approved by the Commission will be returned to the utility with a designation of the effective date and constitutes the utility's official copy of the approved tariff sheet on file with the Commission.